



PD-50

**ORDINANCE NO.2570**

***AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; BY AMENDING THE PLANNED DEVELOPMENT ZONING DISTRICT NUMBER 50 (PD-50) WHICH INCLUDES APPROXIMATELY 203 ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF VALLEY VIEW LANE, EAST OF LUNA ROAD, AND NORTH OF INTERSTATE HIGHWAY 635 (LBJ FREEWAY); AMENDING THE USE AND DEVELOPMENT STANDARDS FOR PD-50; AMENDING AND REPLACING IN ITS ENTIRETY ORDINANCE 2421; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE.***

WHEREAS, the City Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning should be made;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:**

**SECTION 1.** That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending the Planned Development Number 50 (PD-50) zoning use and development standards on the approximate 203 acres of land generally located south of Valley View Lane, east of Luna Road, and north of Interstate Highway 635 (LBJ Freeway). Said tract of land being shown on Exhibit "A" and generally described as follows:

The tract of land bounded by Valley View Lane to the north; Luna Road to the west; the Interstate Highway 635 (LBJ Freeway) and the Park West Phase I addition to the south; and Railroad right-of-way owned by the City of Dallas Water Utilities and the Valley View Place Section II addition to the east.

**SECTION 2.** That all uses in the Planned Development No. 50 zoning district (PD-50) shall conform in operation, location and construction to the development standards as set forth in Exhibit "B", and to the extent not in conflict with Exhibit "B", to the development and performance standards as established by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

**SECTION 3.** That the above-described tract of land shall be used only in the manner for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as heretofore amended, and as amended herein.

**SECTION 4.** That Ordinance No. 2421 is hereby amended and replaced in its entirety with this Ordinance 2570.

**SECTION 5.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

**SECTION 6.** If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

**SECTION 7.** In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

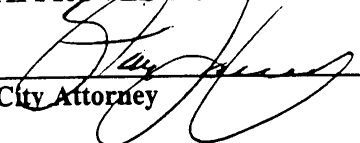
**SECTION 8.** Whereas, it is now necessary that the above described property be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 26th of November, 2000.**

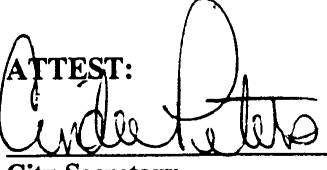
**APPROVED:**

  
\_\_\_\_\_  
Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
City Attorney

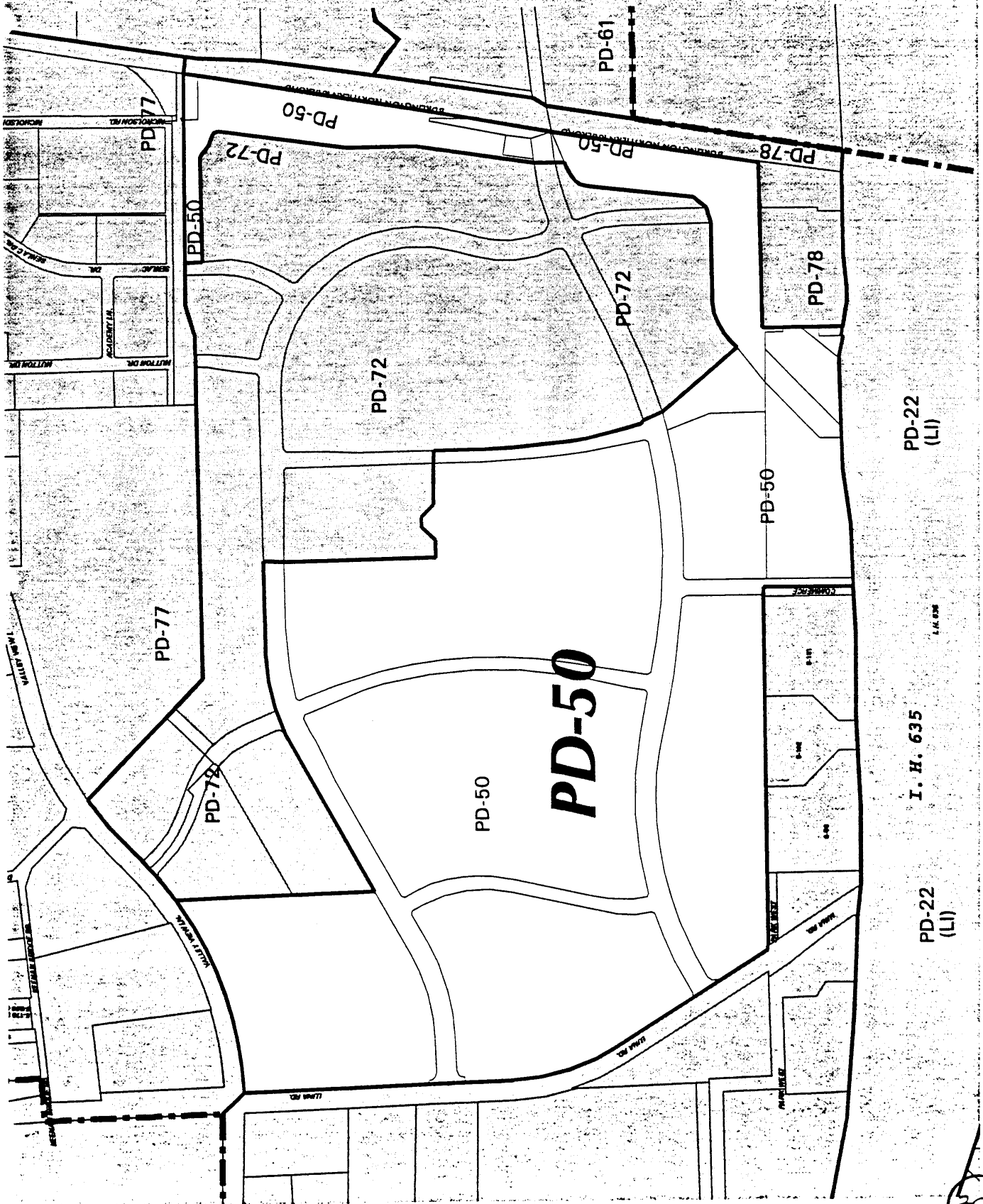
**ATTEST:**

  
\_\_\_\_\_  
City Secretary

# Exhibit "A"



1" = 700ft.



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**EXHIBIT "B"**  
**DEVELOPMENT STANDARDS**  
**FOR PLANNED DEVELOPMENT ZONING DISTRICT**  
**NUMBER 50 (PD-50)**

The following standards shall be considered in the design, location and siting of structures and other development features within the Planned Development District Number 50 (the "District"). Unless specified in this ordinance, all development guidelines and standards shall comply with Light Industrial standards.

**I. USES PERMITTED:**

Accessory Uses

Parking lot or structure commercial

Educational, Institutional and Special Uses

Community center (public)  
Hospital (general acute care)  
Hospital (chronic care)  
Park, playground, or public community center  
School, private, primary or secondary  
School, public or denominational

Utility and Incidental Uses

Accessory building  
Electrical transmission line  
Fire station or similar public safety building  
Gas transmission line and metering station  
Local utility distribution lines  
Off-street parking incidental to main use  
Police station or similar public safety building  
Telephone line and exchange, switching or relay station  
Water reservoir, water pumping station or well

Recreational and Entertainment Uses

Country club (private) with golf course  
Golf course (public)  
Golf course (commercial)

Transportation Related Uses

Railroad track or right-of-way

Retail and Service Type Uses

Office, professional and administrative  
Bakery and confectionery shop (retail)  
Barber and beauty shops  
Bookstore  
Cafeteria  
Child care facility  
Cleaning and pressing shop (retail)  
Custom personal service shop  
Florist or garden shop  
Non drive-in restaurant w/o outside sales window  
Optical shop  
Print shop (retail)  
Retail stores and shops other than listed  
Snack and sandwich shop  
Travel agency

Commercial Type Uses

Scientific or research laboratories

Miscellaneous Uses

Banks and savings and loan associations  
Medical and dental offices and clinics  
Lift station  
Municipal water tower  
Lab, medical or dental

**II. USES REQUIRING A SPECIFIC USE PERMIT:**

Amusement, commercial (outdoor)  
Gasoline service station  
Hotel or motel  
Any use offering drive-in or drive through service (including child care facilities)  
Health club or fitness center  
Private Club  
Restaurants except as otherwise provided for herein  
Wholesale office and sample room  
Office/showroom  
Parking lot as an interim use for a period not to exceed five years (See Section XV.)

### III. USE LIMITATIONS:

All development occurring within the District, whether constructed at one time or in phases, shall be done in strict accordance with all requirements established by the City, including, but not limited to, these standards.

Accessory uses shall be permitted only on the same lot on which the principal use is located and operated.

No change in the location of any use approved on a site plan shall be permitted unless an amended site plan showing proposed changes in the location of the use or uses is submitted in accordance with all requirements herein stipulated and subsequently approved.

Outdoor storage of equipment, merchandise or materials of any kind is prohibited.

### IV. FLOOR AREA RATIO:

The maximum allowable floor area ratio (F.A.R.), computed by comparing the total building square footage on a property to the area of the property measured in square feet, shall not exceed a one to one ratio (1:1) on each platted lot. Above grade accessory parking structures shall not be included in the F.A.R. calculation.

### V. LOT COVERAGE:

The maximum lot coverage for all buildings, including above grade parking structures, shall not exceed sixty (60) percent on each platted lot.

### VI. HEIGHTS:

Any legal height not prohibited by other laws or ordinances.

### VII. BUILDING MATERIALS:

One hundred (100) percent of the exterior walls of buildings, exclusive of windows and doors, shall be masonry construction which shall include brick, split-face concrete block, tilt wall concrete or similar materials. No exterior wall surface of any building shall be covered with sheet or corrugated aluminum, asbestos, iron, wood or steel; provided however, that stucco, painted concrete, plaster, or other decorative materials may be used as trim and accents on the building.

### VIII. STREETS:

All streets shall be constructed in conformance with the Master Thoroughfare Plan of the City of Farmers Branch relative to type and location, and the engineering design criteria of the City of Farmers Branch. All streets shall also be identified as either Major, Secondary, or Minor streets, for purposes of establishing appropriate setbacks, screening requirements, signage, etc.

- Major Street: Any street having a right-of-way of one hundred (100) feet in width or greater and designated by the Master Thoroughfare Plan as ultimately being constructed to include no less than six (6) vehicle travel lanes.
- Secondary Streets: Any street having a right-of-way of sixty four (64) feet in width or greater and designated by the Master Thoroughfare Plan as ultimately being constructed to include no less than six (6) vehicle travel lanes.
- Minor Streets: Any street having a minimum right-of-way width of less than sixty-four (64) feet or any street not specifically identified on the Master Thoroughfare Plan.
- Street Standards: Lakeway Boulevard is to be a four-lane undivided street having lanes twelve (12) feet wide, except at its intersection with Luna Road, Lakeway Boulevard shall be constructed as a four-lane divided street with a median, thirteen (13) feet in width, extending from its intersection with Luna Road, no less than four hundred (400) feet east of Luna Road. The construction of both Lakeway Boulevard and Westside Parkway at their intersections with Luna Road shall include the installation of appropriate right and left turn lanes and the installation of traffic signal.

#### **IX. BUILDING SETBACKS:**

**Front yard setbacks.** All sides of any building facing a street shall be set back from street rights-of-way as follows:

- Major Street: Buildings shall be setback a minimum of thirty (30) feet from the street right-of-way line.
- Secondary &  
Minor Streets: Buildings shall be setback a minimum of twenty (20) feet from the street right-of-way line.
- Side Yard Setbacks: Buildings shall be setback a minimum of ten (10) feet from the side property lines.
- Rear yard Setbacks: Buildings shall setback a minimum of ten (10) feet from the rear property line.

#### **X. PAVEMENT SETBACKS:**

All parking and vehicle maneuvering areas shall be setback a minimum of fifteen (15) feet from all street rights-of-way. No side yard and rear yard setbacks are required.

**XI. UNDERGROUND SETBACKS:**

All underground parking or other structures shall be setback a minimum of fifteen (15) feet from any property line or street right-of-way.

**XII. UTILITY AND ACCESS EASEMENTS:**

In order to ensure that adequate space is reserved for the installation and maintenance of all utility services and public sidewalks, utility and pedestrian access easements of no less than fifteen (15) feet in width shall be provided within all required front yards that abut a street right-of-way unless:

The required front yard abuts a Secondary Street, as herein defined, that has adequate parkway area within the street right-of-way to accommodate all utilities and public sidewalks, or

Provision for a utility and pedestrian access easement at least fifteen (15) feet in width that accomplishes the same purpose has been other-wise established.

Said utility and pedestrian access easements shall be located on private property, parallel to, and abutting the street right-of-way line and fully extend across each property in order to create a contiguous utility easement along the entire length of the street right-of-way.

**XIII. PUBLIC SIDEWALKS AND PATHWAYS:**

**Public Sidewalks:** Public sidewalks shall be provided by the Developer along both sides of all streets and shall be installed in conjunction with street construction. Public sidewalks shall be located within street rights-of-way or within utility and pedestrian access easements as required herein. Installation of public sidewalks on private property otherwise may be permitted provided the necessary public access easements are secured and subject to the approval of the City Manager or Designee.

**Public Pathways:** Public pathways suitable for joint pedestrian and bicycle use shall be provided by the Developer within the District in a manner consistent with the fundamental concepts, goals and objectives of the City of Farmers Branch's Comprehensive Plan. Minimally, public access to and around the existing lake via public pathways to joint pedestrian and bicycle use shall not be precluded by any development in proximity to the lake.

All site plans shall graphically demonstrate consistency with the provision of the Comprehensive Plan relative to public pathways or indicate in writing why the development site should not be obligated to provide such pathways.

**XIV. LANDSCAPING:**

Each building site, including portions thereof located within any required yards or easement areas and including the parkway area between the property line and any adjacent street curb shall be landscaped in accordance with the standards established herein.



**Front Yards:** All required front yards (i.e., the area between the main building and street right-of-way not used for parking or vehicle maneuvering) shall be used exclusively as landscaped open space.

**Minimum Requirement:** No less than ten (10) percent of the total lot area shall be landscaped. Landscaping shall include live plant material including, but not limited to, turf; ground cover; shrubs and trees; natural and man-made water forms and features; planters and pedestrian walkways (other than required sidewalks); and plaza areas comprised of enhanced paving materials. Paved areas intended to accommodate parking or vehicular traffic flow shall not be considered landscaping.

**Irrigation Required:** All required landscaping areas comprised of live plant material shall be irrigated with an underground automatic irrigation system that provides complete coverage, the design of which shall be subject to City Staff approval prior to the issuance of the building permits.

**Tree Requirement:** One (1) tree, no less than four (4) inches in diameter, measured at a height of one foot above the ground at time of planting, is required for every thirty (30) lineal feet of street frontage. Fractions equal to, or greater than 0.5 shall be rounded up to the next higher number of trees. Required trees shall be planted within the required front yard in a free-form layout with an average spacing of not more than twenty (20) feet. Required trees shall be one of the following: Red Oak, Live Oak, Cedar Elm, Pecan, Sweetgum, Bald Cypress, Chinese Pistachio, or Western Soapberry, unless otherwise approved by the City Manager or Designee prior to the issuance of building permits.

**Berm Requirement:** Earthen berm treatments along street frontages shall be installed and maintained in accordance with the following requirements:

- a. Buildings having truck-loading doors that face a street or street right-of-way shall provide and maintain a free-formed landscaped earthen berm averaging five (5) feet in height within a landscaped area adjacent to the street right-of-way, which landscaped area shall be at least twenty five (25) feet in depth relative to the street right-of-way.
- b. Buildings having truck loading doors on the side of the building or automobile parking in front of the building shall provide and maintain a free-formed landscaped earthen berm with an average height of three (3) feet within a landscaped area adjacent to the street right-of-way, which landscaped area shall be at least fifteen (15) feet in depth relative to the street right-of-way.
- c. No earthen berm is required for buildings having no truck loading doors facing a street right-of-way or on the side of the building and no parking in front of the building.

**Berm Design:** All earthen berms shall conform to the following design standards:

- a. Earthen berms shall vary in height smoothly so that a straight line "levee" effect is avoided.

- b. Berms shall have a maximum slope of three-to-one (3 to 1) unless otherwise approved by the City Manager or Designee.
- c. Berms shall have evergreen shrubbery plantings added at their lowest points to ensure that truck loading doors and vehicles in parking lots are adequately screened.
- d. Average height of berms shall be determined relative to the top of the street curb along which such berm is located or the average grade of the abutting property along the common property line where said berm is located. The average height calculation shall exclude driveway openings that intersect berms, and portions of berms that lie within visibility triangles.

**Visibility Maintained:** Landscaping materials (i.e., berms, vegetation, walls, etc.) shall not interfere with the visibility triangle or sight line requirements at street or driveway intersections.

## **XV. OFF-STREET PARKING:**

**Required Off-Street Parking Spaces.** Off-street parking shall be provided adequate to meet the needs of all uses in order to completely eliminate the need for on-street parking. On-street parking is prohibited.

As a minimum, the following shall be required:

Office:	1 space per 333 square feet of gross floor area
Retail :	1 space per 250 square feet of gross floor area
Research Laboratories:	1 space per 500 square feet of gross floor area
Restaurants:	1 space per 100 square feet of gross floor area
Other allowable uses:	As required by the Comprehensive Zoning Ordinance of the City of Farmers Branch

**Staged Parking Plan.** Where the total number of off-street parking spaces required are not immediately needed for a particular use, a staged development plan may be permitted requiring that only a portion of the parking area, but not less than sixty five percent (65%) of the required spaces, be completed initially, provided that:

1. The site plan shall clearly indicate both that portion of the parking area to be paved initially and the total parking needed to provide the number of spaces required. The site plan shall also establish a specific time when all required parking will be provided. The City Manager or Designee may modify the phasing or completion date upon written notice to the property owner.
2. The site plan shall provide for adequate drainage of all parking areas.
3. The portion of the parking area not to be paved initially shall be landscaped with a ground cover to prevent erosion, subject to the City Manager or Designee approval.

4. Any change of use on a property for which a staged parking pavement plan has been approved, to a use requiring more parking spaces than are provided for on the property, shall require approval of a new site plan.

**Setbacks.** Off-street parking shall be set back a minimum of fifteen (15) feet from all street rights-of-way. No side yard and rear yard setbacks are required.

**Dimensions and Materials.** All off-street parking spaces shall be comprised strictly of an improved surface of concrete and constructed in accordance with City of Farmers Branch engineering standards. Each off-street parking space shall measure no less than nine (9) feet in width by eighteen (18) feet in length. An overhang of up to two (2) feet is permissible, but may not encroach property lines or obstruct walkways adjacent to buildings.

**Surface parking lots as primary use.**

- a) Parking lots as a primary use may be permitted for an interim period not to exceed five years, subject to approval of a specific use permit (SUP).
- b) Parking lots shall be required to satisfy the minimum standards contained within this ordinance and the Comprehensive Zoning Ordinance, except as otherwise may be permitted under this ordinance.
- c) Paving surfaces and construction materials for parking lots shall be evaluated as part of the specific use permit process, and construction design standards shall be subject to approval by the City Engineer or his designee.

**XVI. LOADING AND RECEIVING AREAS:**

Adequate area shall be provided on-site for loading and receiving operations such that maneuvering of trucks or other vehicles will not encroach any street. The parking, storage, loading, unloading or staging of trucks or truck trailers on any street is prohibited.

**Loading Doors Placement.** The orientation of loading doors shall be governed as follows:

Major Street: No loading doors shall face the street.

Secondary &  
Minor Streets: Loading doors may face the street provided that the building is setback a minimum of 85 feet from the street right-of-way line and the loading and receiving area is screened from view of all public streets and street rights-of-way in accordance with the Landscaping and Screening requirements established herein.

**Truck Loading Berth Requirements.** At a minimum, all uses shall provide and maintain on-site truck loading berths in the quantities stated below:

- a. Office use:
  - i. 0 to 20,000 Gross Square Feet (GSF); none
  - ii. Over 20,000 to 50,000 GSF; one space
  - Over 50,000 to 100,000 GSF; one space
  - iii. Each additional 100,000 GSF; one space
- b. Hotel use:
  - i. One space per each 100,000 GSF
- c. Restaurant use:
  - i. 0 to 10,000 GSF; none
  - Over 10,000 to 50,000 GSF; one space
  - ii. Each additional 100,000 GSF; one space
- d. The City Manager, or Designee, shall determine the number of one-site truck loading berths required for uses not specified, based on the most similar use listed above.
- e. A structure containing more than one use must meet the truck loading berth requirements of each use unless one use occupies 90 percent or more of the gross building area, in which case the truck loading berth requirement is calculated as if that use occupied the entire structure.

**Truck Loading Berth Dimensions.** All truck loading berths shall measure no less than twelve (12) feet in width and sixty (60) feet in length.

## **XVII. SCREENING:**

All parking, truck loading and receiving areas, refuse containers, and mechanical equipment shall be screened from view of neighboring properties, streets right-of-way, and the existing lake which generally abuts the District along its western boundary as follows:

**Parking Areas.** Automobile parking areas facing a public street or street right-of-way shall be screened in accordance with the requirements set forth in the Landscaping section of these standards.

**Loading and Receiving Areas.** Truck loading and receiving areas facing a public street or street right-of-way shall be screened in accordance with the requirements set forth in the Landscaping section of these standards.

Tree and Berm Design requirements as set forth in the Landscaping section of these standards shall likewise be applicable to ensure adequate and compatible screening of

loading and receiving areas facing the existing lake.

**Mechanical Equipment.** All mechanical equipment associated with the main building or accessory buildings, not located inside the building roof mounted or otherwise, shall be screened from view of all neighboring properties, street rights-of-way and the existing lake.

**Refuse Containers.** Each building site shall have a minimum of one commercial refuse container. Each refuse container shall be screened from view from all adjacent properties, street rights-of-way and the existing lake by a solid, opaque screening fence or wall comprised of materials architecturally consistent with the main structure, and of a height equal to, or greater than the height of the refuse container.

### **XVIII. SIGNS.**

Except as other-wise specified herein, all signs shall comply with the requirements of the City of Farmers Branch Comprehensive Zoning Ordinance and Code of Ordinances as they pertain to the Light Industrial (LI) zoning district.

No billboards or off-premise advertising signs shall be allowed. Only those signs that identify the user of the property on which the sign is located, the nature of the business on the same property where the sign is located, or products available on the same property where the sign is located are permitted.

All signs shall either be affixed at ground level or on the face of the main building. All signage shall be of a design and material consistent with the building itself. The only other allowed signs would be of a directional nature, or temporary signs indicating "for sale" "for lease" or other marketing sign in accordance with the provisions of the Comprehensive Zoning Ordinance and Code of Ordinances.

**Free Standing Signs.** One (1) monument sign shall be permitted per site and must be setback a minimum of ten (10) feet from the property line along a major street and five (5) feet from the property line along a secondary street and minor street.

- a. No part of any monument sign shall be located within a radius of twenty five feet (25) to another monument sign on an adjacent site.
- b. No monument sign shall exceed a height of eight (8) feet.
- c. A single tenant monument sign shall not exceed sixty (60) square feet in area.
- d. A multiple tenant monument sign shall not exceed eighty (80) square feet in area.
- e. No monument sign shall be located within a visibility triangle or create a hazardous condition of any kind.
- f. Monument sign materials determined at time of site plan approval.
- g. Entryway development identification signs shall be approved by the City Manager or Designee at the time of site plan approval.

**Wall Mounted Signs.** Wall mounted signs shall be limited in number to three (3) signs per site. No wall mounted sign shall exceed three hundred (300) square feet in area or five percent (5%) of the building wall face to which the sign is attached.

## **XIX. DEVELOPMENT PHASING:**

All development within the District shall comply with the phasing requirements set forth herein, relative to the provision of streets and thoroughfares, to serve development as it occurs and ensure the systematic completion of an adequate and fully functioning street network.

Prior to, or in conjunction with development of property, all abutting streets, thoroughfares, and segments thereof, shall be designed and constructed to their full lane width in accordance with the Master Thoroughfare Plan unless otherwise specified within Section XIX, along the entire length of the property to which such street or thoroughfare is adjacent.

All streets and thoroughfares, or segments thereof, either abutting a property or herein required as development phases progress, shall be complete and accepted by the City prior to the issuance of a Certificate of Occupancy for any development within the District.

Prior to issuance of any building permits, the abandonment and rededication of right-of-way as necessary to realign Westside Parkway and Lakeway Boulevard at the intersection of Luna Road must be accomplished in accordance with Exhibit C.

**Initial Phase.** Development of up to 450,000 square feet of gross floor area (any use) or up to 25 acres of land area, anywhere within the District, shall require the following street and/or thoroughfare improvements to be completed and accepted by the City prior to the issuance of a Certificate of Occupancy.

Streets and/or thoroughfares necessary to access the development, and at least one point of access to Luna Road via Lakeway Boulevard or Westside Parkway. All streets and thoroughfares shall be constructed to their full lane widths in accordance with the requirement of the Master Thoroughfare Plan. However, Westside Parkway and the portion of Lakeway Boulevard indicated as six-lane divided streets on the Master Thoroughfare Plan may be constructed to an interim width of four-lanes divided for the purpose of serving this phase of development, provided that the traffic impact study submitted by the developer demonstrates to the satisfaction of the City that the interim width will adequately serve the development.

**Second Phase.** Development of 450,001 square feet of gross floor area up to 1,200,000 square feet (any use) or in excess of 25 acres up to a maximum of 70 acres, anywhere within the District, shall require the following:

Construction of Lakeway Boulevard and Westside Parkway from Luna Road to the east boundary of the development site. All streets and thoroughfares shall be constructed to their full lane widths in accordance with the requirements of the Master Thoroughfare Plan. However, Westside Parkway and the portion of Lakeway Boulevard indicated as six-lane divided streets on the Master Thoroughfare Plan may be constructed to an interim width of four-lanes divided for the purpose of serving

this phase of development, provided that the traffic impact study submitted by the developer demonstrates to the satisfaction of the City that the interim width will adequately serve the development.

**Third Phase.** Development of 1,200,001 square feet of gross floor area up to 2,000,000 square feet (any use), or in excess of 70 acres up to a maximum of 100 acres, anywhere within the district, shall require the following:

Extension of Lakeway Boulevard from Luna Road to Senlac Drive and the extension of Senlac Drive from Lakeway Boulevard north to Valley View Lane, or extension of Westside Parkway from Luna Road to IH-35E (Stemmons) and construct Commerce Drive from Westside Parkway to the IH-635 frontage road. However, Westside Parkway and the portion of Lakeway Boulevard indicated as six-lane divided streets on the Master Thoroughfare Plan may be constructed to an interim width of four-lanes divided for the purpose of serving this phase of development, provided that the traffic impact study submitted by the developer demonstrates to the satisfaction of the City that the interim width will adequately serve the development.

**Final Phase.** Development in excess of 2,000,000 square feet of gross floor area or in excess of 100 acres shall require:

Extension of Lakeway Boulevard from Luna Road to Senlac Drive, the extension of Senlac Drive south to Westside Parkway and north to Valley View Lane, and the extension of Westside Parkway from Luna Road to Senlac Drive; or the extension of Westside Parkway from Luna Road to IH-35E, the extension of Lakeway Boulevard from Luna Road to Senlac Drive, and the extension of Senlac Drive from Westside Parkway to Lakeway Boulevard. However, Westside Parkway and the portion of Lakeway Boulevard indicated as six-lane divided streets on the Master Thoroughfare Plan may be constructed to an interim width of four-lanes divided for the purpose of serving this phase of development, provided that the traffic impact study submitted by the developer demonstrates to the satisfaction of the City that the interim width will adequately serve the development.

## **XX. SITE PLAN APPROVAL:**

All development within the District shall receive site plan approval prior to the issuance of a building permit. No Certificate of Occupancy shall be issued unless all construction and development fully conforms to the approved site plan.

**City Council Approval Required:** Any development or use which is required to obtain a Specific Use Permit (SUP) shall, at the time such SUP request is submitted to the City for processing, also submit an associated site plan subject to review and approval by the City Council subsequent to receiving a recommendation from the Planning and Zoning Commission.

**Administrative Approval Required.** Administrative site plan approval is required for any development which does not require City Council approval of a Specific Use Permit (SUP).

1. Development Review Committee (DRC). Administrative site plan review and

approval shall be the responsibility of the DRC. The DRC shall be comprised of City Staff personnel, designated by the City Manager, who are normally responsible for review of site plans, construction plans and engineering plans. Representatives from private utility companies may also be permitted to participate in the review process when necessary.

2. **DRC Authority.** The DRC, in its review of site plans, shall not be authorized to waive or vary requirements found herein, those of the Comprehensive Zoning Ordinance, or any other applicable ordinance of the City of Farmers Branch.
3. **Denial of Site Plan.**
  - a. If a site plan is not approved by the DRC, reason(s) for such action shall be provided to the applicant.
  - b. Site plans not approved by the DRC may be appealed to the Planning and Zoning Commission and City Council, if so desired by the applicant, in writing, within fifteen days following notice of the site plan's denial by the DRC.
4. **Planning and Zoning Commission Authority.** The Planning and Zoning Commission, in its review of site plans previously denied by the DRC, shall not be authorized to waive or vary the requirements of this ordinance, the Comprehensive Zoning Ordinance, or any other applicable ordinance of the City of Farmers Branch.

**Elements of a Site Plan.** All site plans submitted for review by the DRC, Planning and Zoning Commission or City Council shall be accurately and legibly drawn to scale with dimensions and shall show:

- a. site location map;
- b. the boundary of existing property;
- c. existing and/or proposed buildings;
- d. proposed use of the property;
- e. parking layout and drives;
- f. means of ingress and egress, loading areas and fire lanes;
- g. areas to be landscaped and screened (including identification of materials to be used, sizes, and location);
- h. public and private sidewalks and pathways;
- i. adjoining streets and alleys including curbs, medians, and storm drains;
- j. drainage, utility and any other easements;
- k. zoning;
- l. size of buildings and computations of building area for each use;
- m. site area, F.A.R., and parking ratio;
- n. any other information, including traffic impact analyses, deemed essential by the DRC, Planning and Zoning Commission or City Council to ensure compliance with this and any other applicant City codes and ordinances.
- o. The applicant must demonstrate that on-site truck parking, loading and maneuvering is adequate.



## **XXI. SPECIAL EXCEPTIONS:**

In those circumstances where the applicant feels that, due to unique characteristics of the site or other special circumstances, strict compliance with the development standards set forth herein is not feasible or desirable, the Planning and Zoning Commission may be petitioned to grant a special exception to the requirements of this ordinance relative to the standards in question. Requests for special exceptions shall include submittal of a site plan prepared in accordance with the provisions of this ordinance.

1. The Planning and Zoning Commission shall review all requests for special exceptions to the development standards set forth in this ordinance and determine compliance with the intent of the standards.
  - a. The Planning and Zoning Commission shall hold a public hearing to consider all requests for special exceptions to the standards of this ordinance.
  - b. At least fifteen (15) days prior to the hearing date, notice of the time and place of such hearing shall be published in the official newspaper of Farmers Branch.
  - c. Written notice of the public hearing shall be sent to all owners of real property located within the area to be considered for the special exception and to all owners of real property located within two hundred feet the area for which the special exception is requested. Such notice shall be given not less than ten (10) days before the date set for the public hearing by posting such notice, properly addressed and postage paid, to each taxpayer as the ownership appears on the City tax roll.
2. All decision of the Planning and Zoning Commission in this regard shall be final unless appealed to the City Council.
  - a. An applicant may appeal the decision of the Planning and Zoning Commission only by filing a letter requesting an appeal with the Planning Director within fifteen days of the date of the Planning and Zoning Commission's denial.
  - b. City Staff may appeal any decision of the Planning and Zoning Commission by notifying the applicant and the Chairman of the Planning and Zoning Commission, in writing, of such intent, within fifteen (15) days of the date of the Planning and Zoning Commission's final decision.

## **XXII. SITE PLAN AMENDMENTS AND WAIVERS:**

The City Manager or Designee may authorize minor modifications to approved site plans or waive the requirement of a site plan for construction of minor site improvements (e.g., signs, limited parking lot modifications, landscaping, small building addition, accessory structures, fences, etc.) provided that:

- a. The basic relationship of the proposed development, improvements, or construction, to adjacent property, is not adversely affected.

- b. The parking requirements are not reduced.
- c. The floor area is not increased greater than allowed in this ordinance.
- d. The uses are consistent with the requirements of this ordinance.
- e. The minimum setbacks are not reduced.

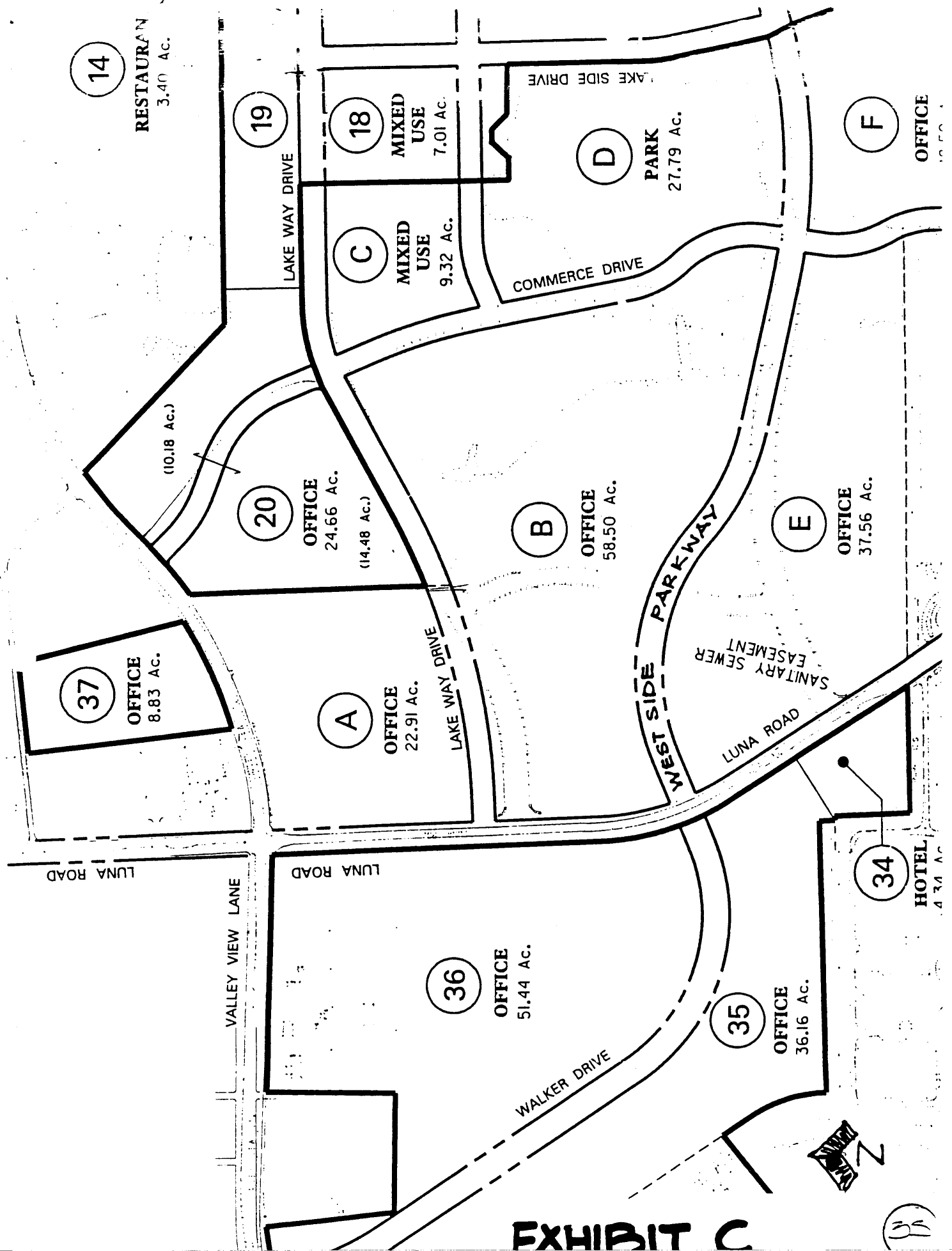


EXHIBIT C

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